

U.S.S.N. 10/092,335

- 8 -

May 3, 2004

REMARKS

Claims 1, 2, 5-8, 10, 12-16, 19-21, and 23-31 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Redmond, U.S. Patent No. 6,538,828. Claims 9, 11, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Redmond. The remaining claims 3, 4, 17, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Redmond in view of Windross, U.S. Patent No. 5,295,047. Applicants hereby reserve the right to swear behind the Redmond patent. These rejections are respectfully traversed for the reasons discussed below.

Redmond discloses a magnifying page illuminator which is used as a reading aid. The device includes an elongate biconvex lens (5) supported along its length by support legs (7) which rest on a page to thereby support the lens above the page at a distance that provides a magnified, focused image of the page text. A light source located at one end of the device provides internally reflected light which is reflected out of the device into a space between the legs and lens to thereby illuminate the page text being read. The device can include an opaque and/or reflective coating (17) on those surfaces that are not being used for illumination and viewing.

Windross et al. discloses a line-of-light illuminating device which includes a triangular lightpipe portion for transmitting the light along its length, and one or more segments of a cylindrical lens at one end to provide lateral emission of a collimated line of light.

Claims 1-14

Claim 1 has been amended to recite an illuminating waveguide assembly which includes a waveguide and vehicle panel having an opening in which the waveguide is positioned. In particular, claim 1 recites that the waveguide includes first and second portions extending lengthwise along the waveguide in which the second portion directs light toward the first portion for lateral emission through a light transmissive surface of the first portion. Claim 1 then further specifies that the waveguide is "positioned in said opening with said first portion being exposed at a front side of said panel and said second portion being located behind said panel. Redmond does not disclose or suggest any such

U.S.S.N. 10/092,335

- 9 -

May 3, 2004

construction, nor would the claimed arrangement be obvious in view of Redmond since it is directed to a portable "hand held" device used as a reading aid for people who are visually impaired. There is nothing in Redmond or the other prior art that would suggest or provide an incentive to incorporate the hand held device into a vehicle body panel for interior or exterior automotive illumination. Doing so would run counter to the purpose and function for which the Redmond device is provided.

Claim 1 therefore patentably defines over Redmond. Windross is cited in the application as disclosing the use of plastic and, in particular, acrylic for the material used in the waveguide. However, Windross does not make up for the above-noted deficiency of Redmond as it applies to amended claim 1. Again, neither Windross or any of the other prior art of record provide the necessary incentive, teaching, or suggestion to modify Redmond so as to utilize it in conjunction with a vehicle panel, as claimed. Accordingly, claim 1 patentably defines over Redmond and Windross. Claims 2-14 each ultimately depend from claim 1 and should be allowed therewith.

Claims 15-27

Independent claim 15, as amended, recites that the first and second portions define the respective uppermost and lowermost portions of the body of the waveguide. This feature is evident from inspection of Applicants' figures such as the compound conic design of Figs. 1-4, the faceted design of Fig. 5, or the truncated design of Figs. 6-7. In Redmond, the support legs (referred to in the Office Action as mounting flanges) extend downwardly from the lens to support the device above the text being read. This provides an open area between the legs and underneath the lens into which light is directed by the device to illuminate the page. Thus, it is these support legs of Redmond that define the lowermost portion of the device and not the second portion as recited in claim 15. This feature of claim 15 is therefore not disclosed by Redmond, and Applicants respectfully submit that it would not have been obvious to modify the Redmond device in this manner.

As discussed above in connection with claim 1, Windross is cited for its disclosure of the use of transparent plastic such as acrylic; however, there has not been any showing of a proper motivation for otherwise combining Windross with Redmond in

U.S.S.N. 10/092,335

- 10 -

May 3, 2004

a manner that would render obvious the above-noted feature of claim 15, and Applicants respectfully submit that no such proper motivation exists. Accordingly, claim 15, as well as claims 16-27 that each ultimately depend therefrom, all recite subject matter that is patentable over Redmond and Windross, whether taken singly or in combination with each other or with other prior art of record.

**Claims 28-29**

Independent claim 28, as amended, recites spaced mounting features located at the intersection of the first and second portion, and further recites that the second portion has a reflective coating that extends in the circumferential direction from one of the mounting features to a second one of the mounting features. This is also not disclosed or suggested by Redmond. Although Redmond does disclose the use of a reflective coating, that coating is only applied on the surfaces of the device that are not used for viewing and illumination. Thus, the coating is not provided over the entire upper (second) portion since doing so would prevent or at least impact the ability to view the magnified text through the lens. For this same reason it would not have been obvious to so modify the device. Accordingly, claim 28 and claim 29 that depends therefrom both patentably define over Redmond.

**Claims 30-31**

Independent claim 30, as amended, recites:

a plurality of mounting features each extending laterally away from said body from a distal end to a free end;

wherein said free ends of at least two of said mounting features are spaced from each other with said body being located within the space between said free ends.

In the illustrated embodiments, these mounting features comprise longitudinally-extending mounting flanges that are unitary with the body of the waveguide and extend laterally away from each other in the same plane. The mounting features need not extend directly away from each other, but could extend away at an angle, as do the legs of Redmond. Unlike Redmond, however, the free ends of (at least two of) the mounting features are separated by a space with the body of the waveguide being located in that

U.S.S.N. 10/092,335

- 11 -

May 3, 2004

space. As discussed in connection with claim 15, the Redmond device includes an open area between the legs and underneath the lens into which light is directed by the device to illuminate the page. Thus, the lens body does not extend into this space between the free ends of the support legs, nor would it have been obvious to so modify the Redmond device.

Accordingly, claim 30 also patentably defines over Redmond. Claim 31 depends from claim 30 and should be allowable therewith.

Specification Amendments

The brief descriptions of some of the drawings have been amended to make them consistent with that shown in the drawings and described in the specification. No new matter is being entered by this amendment.

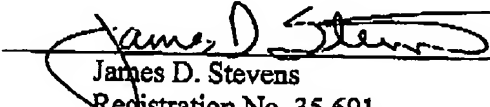
Conclusion

In view of the foregoing, Applicants respectfully submit that all claims define subject matter that is patentable over Redmond, Windross, and the other prior art of record. Reconsideration is therefore requested. The Examiner is invited to telephone the undersigned if doing so would advance prosecution of this case.

The Commissioner is hereby authorized to charge the fee for the accompanying request for continued examination, as well as any required fees (or crediting any overpayment) associated with this communication to Deposit Account No. 06-0420.

Respectfully submitted,

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Date: May 3, 2004  
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